

Minutes of the Key West Historical Architectural Review Commission October 26, 2011

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Call Meeting To Order	
Chairman Rudy Molinet called the Key West Historical Architectural Review Commission (HARC) Meeting of October 26, 2011 to order at 6:02 pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.	
Pledge of Allegiance to the Flag	
Roll Call	
	Commissioners present include Carlos Rojas, Barbara Bowers, Daniel Metzler, Vice Chairman Bryan Green, and Chairman Rudy Molinet. Also, present from City staff: Assistant City Attorney Ron Ramsingh, Historic Perseveration Planner Enid Torregrosa, IT Director Patti McLauchlin, and Recording Secretary Jo Bennett.
Approval of Agenda	
	Chairman Rudy Molinet inquired as to any changes to the agenda. Enid Torregrosa stated there were no changes. Actions/Motions: A motion was made by Mr. Bryan Green, seconded by Ms. Barbara Bowers, that the Agenda with no changes be Approved . The motion Passed by a unanimous vote.
Approval of Minutes	
1	October 11, 2011 Actions/Motions: A motion was made by Mr. Bryan Green to amend the minutes from October 11, 2011 meeting to withdraw his request to amend the September 26, 2011 meeting minutes since the September 26, 2011 minutes were correct as written, motion was seconded by Mr. Daniel Metzler, that the Minutes be Approved . The motion Passed by a unanimous vote.
New Business	
2	Economic hardship application for after the fact installation of metal V crimp on roof- Code Compliance Case- #1312 Reynolds Street- Brian Blanchette The applicant was not in attendance. Mr. Ramsingh stated that this is a Code Compliance case and it has been before the Magistrate on two (2) prior meetings. Mr. Ramsingh also stated that Mr. Blanchette was aware of the HARC meeting but is out of town at this time. Mr. Ramsingh stated that it is up to the Commission if they wish to discuss the item without the applicant but he suggested moving forward with the discussion since it is a Code Compliance case. The Commission decided to discuss the item. Public Comments: There were no public comments. Staff Report:

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Enid Torregrosa presented her staff report. Ms. Torregrosa stated the house located at #1312 Reynolds Street is listed as a contributing resource in the surveys. The historic house was built circa 1930 and was part of the Reynolds Elementary School complex. Danny Acevedo, from Dan Ace Roofing, submitted a Certificate of Appropriateness application #H09-09-11-1044 on September 11, 2009 for the removal of concrete shingles and replacement with v-crimp. Right after staff reviewed the application staff gave an Economic Hardship application to the contractor and he stated that his client did not qualify for economic hardship consideration. The application was denied by the Commission on the public hearing held on October 13, 2009. The owners appealed the Commission's decision and during the appeal an attorney offered pro bono services to represent them. The continuance of the appeal was never included on the Special Magistrate's docket.

Staff met with the attorney several times. During the first meeting a finding that the concrete shingles were indeed asbestos shingles was stated; that meeting took place on March 2, 2010. The attorney was doing a research in order to find a material that will resemble the existing asbestos shingles. On July 20, 2010 staff sent an email to the attorney recommending some composite shingles and giving some information about the Old Island Restoration Foundation's grants that were going to be available. The house by that time had flat gray asbestos shingles with convex ridge tiles.

As per today the owners removed all the shingles and tiles and installed metal V crimp with no Building permit and with a Certificate of Appropriateness that was denied. Staff does not know who and how the asbestos material was handled or where it was disposed. A Code Compliance case was reviewed by the Special Magistrate on September 28, 2011 for the after the fact installation of metal V crimp. Staff gave a copy of the Economic Hardship application to the owner during that hearing.

The applicant is seeking an economic hardship consideration for the metal V crimp he already installed. He included on his application that metal shingles are required by the Architectural Design Guidelines and the approximate cost difference or amount of savings is \$10,500. The Commission or staff has not received any other application for a different material to be installed in the roof. The Commission or staff has never stated that metal shingles is an appropriate replacement for the asbestos shingles and ridge tiles.

The applicant stated to staff that he is not currently receiving fixed income benefits such as Social Security, aid to families with dependable children or Private pension benefits which is the criteria for undue economic hardship as defined in Sec. 102-186 (2) of the Land Development Regulations. The applicant just marked the item "**and my total household income is below 80% of the median income for the city**". The applicant did not submit any documents as proof of evidence with the Economic hardship Affidavit. According to the Florida Housing Financial Corporation, State Housing initiatives Program (SHIP) the actual median income for Monroe County is \$71,400. Staff has included the table in the packet. Staff has also included the previous application and packet that was denied by the Commission.

Commission Discussion:

Mr. Green asked if this was just an application for the Economic Hardship and it does not include an application (after the fact) for the work done. Ms. Torregrosa stated this is just an Economic Hardship application.

The Commissioners reviewed the submitted Economic Hardship Affidavit and could not

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	<p>find where the applicant proved to qualify for undue economic hardship as stated in Sections 102-186 through 102-190 of the Land Development Regulations of the City of Key West.</p> <p>Mr. Metzler inquired if it is known who put the roof on and shouldn't that company's license be in question. Mr. Ramsingh stated he would refer Mr. Metzler's request to Code Compliance.</p> <p>Actions/Motions: A motion was made by Mr. Bryan Green, seconded by Mr. Daniel Metzler, that the item be Denied based on Sections 102-186 through 102-190 of the Land Development Regulations of the City of Key West.</p> <ul style="list-style-type: none">The motion Passed by the following vote: Yes: 4 - Mr. Metzler, Ms. Bowers, Mr. Green, Chairman Molinet No: 1 - Mr. Rojas
<p>3</p>	<p>Nelson English/Willie Ward Park enhancements and ADA bathroom addition to Martin Luther King Community Center- #304-306 Catherine Street, #300-307 Louisa Street, #250 Amelia Street- mbi/k2m Michael B. Ingram (H11-01-1315)</p> <p>Michael Ingram presented the proposed project and explained the phases which will be used to make the improvements. Mr. Ingram supplied updated drawings to the Commissioners and remained available to respond to the Commissioner's questions.</p> <p>Public Comments: There were no public comments.</p> <p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated the building located on #304 Catherine Street and Nelson English- Willie Ward Parks are not listed in the surveys. According to the Property Appraiser's records the two story cbs structure was built in 1957. The proposed plans include park furniture, enhancement or hardscape, new children's equipment and adult exercise area.</p> <p>The plans also include the construction of an attached addition to the east side of the main building. The addition will be a one story cbs construction structure with a flat roof. The new addition will have similar architectural elements found in the main entrance.</p> <p>It is staff understanding that the proposed addition is in keeping with the mass and scale of the existing structure. The proposed addition will be compatible in design and massing with the building and surrounding historic context. The addition will not require any variances if approved. The proposed improvements to the park will not have any effect on actual green areas and are sensible to the existing park environment and its surrounding urban context. Staff understands that the proposed design is consistent with the guidelines.</p> <p>Commission Discussion: The Commissioners had no additional comments or discussion.</p> <p>Actions/Motions: A motion was made by Ms. Barbara Bowers, seconded by Mr. Carlos Rojas, that the item be Approved. The motion Passed by the following vote: Yes: 5 - Mr. Rojas, Mr. Metzler, Ms. Bowers, Mr. Green, Chairman Molinet</p>

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<p>4</p>	<p>Demolition of part of rear wall to create a temporary 8' by 8' opening for removal of interior material, infill with concrete blocks and install a new single service door- #211 Duval Street- Donald Laukka- William Horn (H11-01-1363)</p> <p>Bill Horn presented the project explaining what happened to cause the Code Compliance Case. Mr. Horn remained available to respond to the Commissioners questions.</p> <p>Public Comments: There were no public comments.</p> <p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated this staff report is for the review of and application as a result of a Code Compliance case for an after the fact partial demolition of part of a back wall, its restitution with same material and the installation of a single service metal door. The building located on #211 Duval Street is not listed in the surveys. The partial demolition was done in order to remove interior material. A previous Certificate of Appropriateness was approved for the remodeling of the front façade. The Historic Florida Keys Foundation, which are the abutting neighbors agreed to the installation of the single door as long as it is used just for emergency exit and not for trash disposal or deliveries once the business is up and running.</p> <p>Staff understands that the after the fact request partially remove part of the rear wall constitutes demolition.</p> <p>This is an after the fact application. If approved this will be the first reading for demolition.</p> <p>Commission Discussion: The Commissioners expressed their concern that once again they were hearing an after the fact application.</p> <p>Actions/Motions: A motion was made by Mr. Carlos Rojas, seconded by Mr. Bryan Green, that the design part of the item be Approved. The motion Passed by the following vote: Yes: 5 - Mr. Rojas, Mr. Metzler, Ms. Bowers, Mr. Green, Chairman Molinet</p> <p>A motion was made by Mr. Carlos Rojas, seconded by Mr. Bryan Green, that the demolition part of the item be Approved. The motion Passed by the following vote: Yes: 5 - Mr. Rojas, Mr. Metzler, Ms. Bowers, Mr. Green, Chairman Molinet</p>
<p>5</p>	<p>Removal of existing corrugated metal panels on the roof and installation of new metal V crimp on roof- #109 Geraldine Street Old Power Plant Station, Blacksmith Shop- Mailloux and Sons Inc (H11-01-1375)</p> <p>Jack Wetzler presented the project on behalf of Keys Energy. Mr. Wetzler stated the proposal is for the removal of the existing corrugated metal roof panels and install a new metal V crimp on the old blacksmith's building's roof. Mr. Wetzler stated this is what has been used on other Keys Energy's buildings in the area and this was the least costly approach to replace the roof.</p>

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	<p>Public Comments: There were no public comments.</p> <p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated the building in question is part of the complex historically known as the Key West Electric Company. The buildings are owned by Keys Energy Services and the historic structures are made of brick. The proposed plans include the removal of corrugated metal panels and its replacement with metal v-crimp. According to the applicant the two existing exhaustion vents will be relocated in the same place once the new metal roof is installed.</p> <p>The brick buildings were listed as contributing resources in the 1998 survey and received a Florida Master Site File number MO3425. For some reason the complex was not included in the 2004 survey. Nevertheless the Florida Master Site File number has not been replaced for other structures</p> <p>It is staff's belief that the installation of metal v-crimp instead of corrugated metal panels will be inconsistent with the guidelines. The brick structure next to the blacksmith shop has metal v-crimp. Staff did not find any HARC approval for the metal v crimp that is found in the structure next to the blacksmith shop.</p> <p>Commission Discussion: The Commissioners had a lengthy discussion concerning the roof and the replacement of the roof as well as the roof on the other buildings in the area. The Commissioners questioned what the difference in cost was for the V crimp verses other alternatives which would be within the Guidelines. The Commissioners explained to the applicant that they could not support the proposed roof and suggested that the applicant re-think what can be done to replace the roof within the Guidelines.</p> <p>Actions/Motions: The item was Withdrawn by the applicant.</p>
<p>6</p>	<p>New paint scheme and new awning colors. Awning fence addition- #1313 Simonton Street, Hibiscus Motel- Debra Yates (H11-01-1362)</p> <p>Debra Yates presented the proposed project and responded to the Commissioners questions concerning the project. Ms. Yates stated that the corner wall will be removed as part of the project.</p> <p>Public Comments: There were no public comments.</p> <p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated the Hibiscus Hotel is located on #1313 Simonton Street and is not listed in the surveys. The two stories cbs structure was built in 1985 and is located on a corner lot. This application is for a new color scheme. The building will be painted with earth tone with white and reds as accent colors. The existing window's canvas will be refurbish with new color canvas that will match the proposed green and gray colors for the walls. The application also includes the installation of a gray color canvas over an existing 3 feet tall cbs wall. This canvas will be gray in color and will extend up to 5 feet high. The applicant is proposing this canvas in order to hide existing gas tanks, which are visible from Simonton Street. This</p>

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	<p>new fence will serve as a canvas for a proposed sign. According to the applicant there is no other place on the site for the installation of the gas tanks. The applicant also is including vertical red banners, with no lettering or logo, to be attached to the wall on Simonton Street and to some columns facing United Street.</p> <p>Hotels and motels in the area have been painted with vibrant schemes colors. This building is not a historic structure and the proposed scheme with be harmonious to its surrounding urban fabric.</p> <p>For the proposed canvas over the existing cbs wall staff understands the need to hide the existing gas tanks but a six foot fence on the side of a corner lot is inconsistent with the guidelines, as well as the proposed material. Staff understands that the gas tanks can be screened differently.</p> <p>Commission Discussion: The Commissioners had a discussion concerning the height of the fence and that the fence cannot be over a total of four (4') feet. The Commissioners liked the new colors but issued a concern that the fabric over the cbs fence should not be called banners since banners are not within the Guidelines. The Commissioners were concerned with the wear and tear of the fabric portion of the fence.</p> <p>Actions/Motions: A motion was made by Mr. Bryan Green, seconded by Ms. Barbara Bowers, that the item be Approved with the condition that the proposed awning fence will be 1 foot high over the existing 3 foot high cbs fence and that all the proposed red banners will not have any type of letter, logo, or symbols. The motion Passed by the following vote: Yes: 5 - Mr. Rojas, Mr. Metzler, Ms. Bowers, Mr. Green, Chairman Molinet</p>
7	<p>New sign application two wall signs and one fence sign, letters will not exceed 12" high. Signs copy <i>Hibiscus</i>- #1313 Simonton Street, Hibiscus Motel- Debra Yates (H11-01-1383)</p> <p>Debra Yates presented the proposed signs.</p> <p>Public Comments: There were no public comments.</p> <p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated the Hibiscus Hotel is located on #1313 Simonton Street and is not listed in the surveys. The two stories cbs structure was built in 1985 and is located on a corner lot. This application is for new signs. Two proposed signs will be freestanding stainless steel letters that will be installed on the walls facing United Street. Letters will not exceed 12" high. The Best Western logo will be included as part of both new signs. A third sign will be painted silver color letters, 12" high, over the proposed canvas fence. This sign will be facing Simonton Street and will read <i>Hibiscus</i>.</p> <p>This is a corner lot, therefore according with the guidelines three signs are allowed. The proposed letters of the signs will not be taller than 12" and the wall signs will not exceed 10% of the façade where they will be installed.</p> <p>Commission Discussion:</p>

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	<p>The Commissioners discussed the number of signs on the property and Ms. Yates stated she understands that there can be only three (3) signs on the property. It was determined that legal name of the hotel "Hibiscus Best Western" will constitute one sign using the hotel name and the franchise name for the business.</p> <p>Actions/Motions: A motion was made by Mr. Bryan Green, seconded by Ms. Barbara Bowers, that the item be Approved with a condition that the proposed awning fence's letters will be no higher than 8 inches and one letter per panel. The motion Passed by the following vote: Yes: 5 - Mr. Rojas, Mr. Metzler, Ms. Bowers, Mr. Green, Chairman Molinet</p>
HARC Planner's Report	
	<p>Ms. Torregrosa reported:</p> <ul style="list-style-type: none">• 1107 Grinnell was up held by Judge Overby at the Code Compliance Hearing.• Reminded everyone of the City Commission meeting at 6:00 pm on November 1st for the presentation of the commendation for Nils Muench.• The workshop for 803 Emma will be held on-site on November 2nd at 2:00 pm.• The seven (7) member HARC Board ordinance has been drafted and is expected to be presented at the November 15th City Commission meeting. <p>Mr. Ramsingh stated that 936 United requested a continuance at the last Code Compliance Hearing with the expectation that they would submit an application in order to come into compliance.</p> <p>At Chairman Molinet's request, Mr. Ramsingh explained the lottery process which will be used to bring the HARC Commission to seven (7) members.</p>
Commissioners Comments	
Adjournment	
	<p>Actions/Motions: A motion was made by Mr. Carlos Rojas, seconded by Mr. Daniel Metzler, that the meeting be Adjourned. The motion Passed by a unanimous vote.</p> <p>Meeting adjourned at 7:47 pm.</p>

Submitted by,

Jo Bennett

**Administrative Coordinator
Planning Department**